

EXHIBIT B

PEOPLES
ENERGY
Peoples Gas
North Shore Gas

January 13, 2003

Ms. Donna M. Caton
Chief Clerk
Illinois Commerce Commission
527 East Capitol Avenue
Springfield, Illinois 62701

Re: Maxine Johnson vs. The Peoples Gas Light and Coke Company, 02-0680

Dear Ms. Caton:

Please find enclosed for filing an original and 4 copies of The Peoples Gas Light and Coke Company's Motion to Compel Discovery in the above referenced complaint.

Please return one filed-stamped copy to me in the enclosed self addressed envelope. Please feel free to call me if you have any questions.

Sincerely,



Peter Brigida
Counsel

Writer's Direct Dial:
(312) 240-4461

Enclosure

The Peoples Gas Light and Coke Company

**STATE OF ILLINOIS
ILLINOIS COMMERCE COMMISSION**

MAXINE JOHNSON,)	
)	
Complainant,)	
)	
vs.)	Docket No. 02-0680
)	
THE PEOPLES GAS LIGHT AND)	
COKE COMPANY,)	
)	
Respondent.)	

RESPONDENT'S MOTION TO COMPEL DISCOVERY

NOW COMES RESPONDENT, The Peoples Gas Light and Coke Company, by and through its attorney, Peter Brigida, and pursuant to Sections 200.190, 200.370 and 200.420 of the Illinois Commerce Commission ("Commission") Rules of Practice ("Rules"), 83 Ill. Adm. Code 200.10 et seq., hereby requests the Administrative Law Judge to issue a ruling (1) compelling Complainant to answer Respondent's First Set of Data Requests, (2) postponing the deadline for filing dispositive motions until at least twenty-eight days after Complainant answers Respondent's First Set of Data Requests, and (3) postponing the evidentiary hearing until at least forty-two days after Complainant answers Respondent's First Set of Data Requests.

Introduction

1. On October 21, 2002, Complainant Maxine Johnson filed a formal Complaint with the Commission against The Peoples Gas Light and Coke Company. A copy of the Complaint is attached hereto as Exhibit A.
2. On December 6, 2002 Respondent served its First Set of Data Requests on Complainant. A copy of Respondent's First Set of Data Requests is attached hereto as Exhibit B.
3. At a status hearing on November 20, 2002 the Administrative Law Judge ordered that discovery be

completed by January 3, 2003, that all dispositive motions be submitted by February 14, 2003, and that an evidentiary hearing be held on February 25, 2003.

4. On January 7, 2003, Respondent had not yet received Complainant's Answer to Respondent's First Set of Data Requests.

5. On January 7, 2003, the undersigned called Complainant. During said telephone conversation the undersigned asked Complainant when Complainant would be providing Complainant's Answer to Respondent's First Set of Data Requests. Complainant stated that she was not required to provide answers to Respondent's First Set of Data Requests. The undersigned informed Complainant that she was required to file answers, but the Complainant insisted that she was not required to do so.

6. As of today's date Respondent has not received answers to Respondent's First Set of Data Requests.

The Administrative Law Judge Should Issue A Ruling (1) Compelling Complainant To Answer Respondent's First Set Of Data Requests, (2) Postponing the Deadline for Filing Dispositive Motions Until At Least Twenty-Eight Days After Complainant Answers Respondent's First Set of Data Requests, and (3) Postponing The Evidentiary Hearing Until At Least Forty-Two Days After Complainant Answers Respondent's First Set of Data Requests

Pursuant to Sections 200.190, 200.370, and 200.420 of the Rules, Respondent requests the Administrative Law Judge to issue a ruling (1) compelling Complainant to answer Respondent's First Set of Data Requests, (2) postponing the deadline for filing dispositive motions until at least twenty-eight days after Complainant answers Respondent's First Set of Data Requests, and (3) postponing the evidentiary hearing until at least forty-two days after Complainant answers Respondent's First Set of Data Requests. In support of its motion, Respondent states as follows:

1. Complainant has failed respond to Respondent's First Set of Data Requests as required by the Administrative Law Judge's November 20, 2002 order.

2. Section 200.340 outlines the Commission's policy to obtain full disclosure of all relevant facts and to encourage voluntary disclosure. 83 Ill. Adm.Code 200.340. The Administrative Law Judge set a schedule by mutual assent of the parties, requiring responses to data requests by January

3, 2003 pursuant to Section 200.410(b). Respondent served Data Requests on the Complainant on December 6, 2002. Complainant has failed to respond to Respondent's First Set of Data Requests.

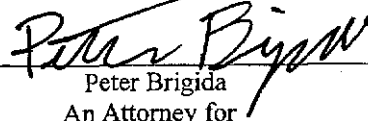
3. As required under Section 200.350, Respondent has consulted with Complainant and reasonably attempted to resolve differences, but Complainant has refused to provide answers to Respondent's First set of Data Requests.

4. In order that this proceeding not be unnecessarily delayed and that Respondent not be subjected to unreasonable annoyance, expense and disadvantage, the Administrative Law Judge should issue a ruling pursuant to Section 200.370(b) and 200.420, (1) compelling Complainant to answer Respondent's First Set of Data Requests, (2) postponing the deadline for filing dispositive motions until at least twenty-eight days after Complainant answers Respondent's First Set of Data Requests, and (3) postponing the evidentiary hearing until at least forty-two days after Complainant answers Respondent's First Set of Data Requests.

WHEREFORE, Respondent respectfully requests that the Administrative Law Judge issue a ruling (1) compelling Complainant to answer Respondent's First Set of Data Requests, (2) postponing the deadline for filing dispositive motions until at least twenty-eight days after Complainant answers Respondent's First Set of Data Requests, and (3) postponing the evidentiary hearing until at least forty-two days after Complainant answers Respondent's First Set of Data Requests.

Respectfully submitted,

By


Peter Brigida
An Attorney for

The Peoples Gas Light and Coke Company


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Company
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Dated this 13th day of
January, 2003, at Chicago, Illinois

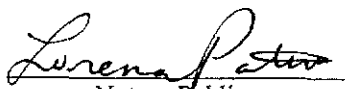
STATE OF ILLINOIS)
) SS
COUNTY OF COOK)

VERIFICATION

I, Peter Brigida, being first duly sworn upon oath, depose and say that I have read the above and foregoing Respondent's Motion To Compel Discovery by me subscribed and know the contents thereof; and that said contents are true in substance and in fact.

By 
Peter Brigida
An Attorney or
The Peoples Gas Light and Coke Company

SUBSCRIBED and SWORN to
before me this 13th day of January 2003


Notary Public

